

SHER TREMONTE LLP

June 7, 2019

BY ECF

The Honorable Joan M. Azrack
United States District Judge
Eastern District of New York
200 Federal Plaza
Central Islip, NY 11722

Re: *United States v. Rhamatzada.*, 18 Crim. 607 (JMA)

Dear Judge Azrack:

We represent Shikeba Rhamatzada, a defendant in the above-referenced action. We write to join the request of Ms. Rhamatzada's co-defendant, Abdulrahman Khwaja, for an order directing the government to provide the search protocol for its review of the computers seized from 500 Smith Street. Dkt. # 152; *see United States v. Galpin*, 720 F.3d 436, 451 (2d Cir. 2013); *United States v. Comprehensive Drug Testing, Inc.*, 621 F.3d 1162, 1176 (9th Cir. 2010) (en banc) (per curiam). We respectfully request that, pursuant to these authorities, the Court order the government to disclose the search protocol for any electronic media seized and searched.

We also note that, in addition to the computers seized from 500 Smith Street, the government seized multiple computers and other electronic media from Ms. Rhamatzada's home. These items have all been returned to Ms. Rhamatzada. On May 28, 2019, we wrote to the government to request confirmation that any copy of such electronic media maintained by the government that is outside the scope of the warrant be deleted or destroyed. The government has declined to respond to our request. Accordingly, we respectfully move this Court, pursuant to Rule 41(g) of the Federal Rules of Criminal Procedure, for an order directing the government to destroy any copy or image it has retained of electronic media returned to Ms. Rhamatzada. *See United States v. Metter*, 860 F. Supp. 2d 205, 212 (E.D.N.Y. 2012) ("To the extent the owner or custodian of the electronic document has privacy concerns regarding the government's retention of the original document, the owner would have identical privacy concerns with the government's retention of the imaged document.").

Respectfully submitted,

/s/ _____
Michael Tremonte
Noam Biale
Sher Tremonte LLP

Attorneys for Shikeba Rhamatzada